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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,751	06/01/2001	Elliot Lee Klosterman	10004282-1	1629

7590 04/21/2006

HEWLETT-PACKARD COMPANY
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EXAMINER

HUNTSINGER, PETER K

ART UNIT PAPER NUMBER

2625

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/871,751	Applicant(s) KLOSTERMAN, ELLIOT LEE	
	Examiner Peter K. Huntsinger	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/13/06 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 7, and 21-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiohara Patent 6,804,019.

Referring to claim 1, Shiohara discloses a printing system comprising: a host module for initiating a communication from a host device, said host module having a first program (print data generation system 1 of Fig. 1, col. 2-3, lines 65-67, 1-3); and a rendering module disposed in a peripheral device, said rendering module being

provided to said host device in response to said communication (s34 of Fig. 7, col. 11, lines 8-11), said first program and said rendering module used cooperatively to control said peripheral device (execution module of Fig. 1, col. 1, lines 56-60).

Referring to claims 2 and 22, Shiohara discloses wherein said host module enables loading of said rendering module into said host device (col. 7-8, lines 67, 1-2).

Referring to claims 3 and 23, Shiohara discloses wherein said host device comprises a computer (col. 6, lines 58-60).

Referring to claims 5 and 24, Shiohara discloses wherein said peripheral device comprises a server module including a web access mechanism to provide a communication path for said communication (col. 7, lines 45-49).

Referring to claim 7, Shiohara discloses wherein said rendering module is configured to optimize a rendering process for a specific peripheral device from which said rendering module is provided (col. 6, lines 15-24).

Referring to claims 21 and 25, Shiohara discloses a printing system comprising: a host module for initiating a communication from a host device, said host module having a first program (print data generation system 1 of Fig. 1, col. 2-3, lines 65-67, 1-3); and a rendering module disposed in a printer, said rendering module including a second program for displaying and manipulating text, images, and/or other graphics and said rendering module being provided to said host device in response to said communication (s34 of Fig. 7, col. 11, lines 8-11), said first program and said rendering module used cooperatively to control said printer (execution module of Fig. 1, col. 1, lines 56-60).

Referring to claim 26, Shiohara discloses wherein said peripheral device comprises a printer and said host device comprises a computer (col. 6, lines 58-60).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiohara Patent 6,804,019 as applied to claim 5, and in further view of Saito et al. U.S. Patent 6,523,696.

Referring to claim 6, Shiohara discloses a printer with web access, but does not disclose expressly a directory server providing an address. Saito et al. disclose a directory server providing an address for said host module to communicate with said server module (AV connection device of Fig. 7, col. 23, lines 36-40, 51-59). Shiohara and Saito et al. are combinable because they are from the same field of printing systems. At the time of the invention, it would have been obvious to utilize a directory server in the system of Shiohara. The motivation would have been to direct a computer to the location of a printer. Therefore, it would have been obvious to combine Saito et al. with Shiohara to obtain the invention as specified in claim 6.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiohara Patent 6,804,019.

Referring to claim 8, Shiohara discloses a computer, but does not disclose expressly a host module and rendering module capable of using each of a plurality of operating system environments. Official Notice is taken that computers and drivers that are useable on various operating systems is well known in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PKH

A handwritten signature in black ink, appearing to be 'PKH' followed by a stylized flourish.A handwritten signature in black ink, appearing to be 'K Williams'.

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER